

**MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
OF THE OFFICE OF THE STATE APPELLATE DEFENDER**

**October 3, 2014**

**Office of the State Appellate Defender  
Conference Room  
203 North LaSalle, 24<sup>th</sup> Floor Chicago, IL**

The following matters were covered at the October 3, 2014, meeting of the Board of Commissioners of the Office of the State Appellate Defender.

Present - **Board Members:** Thomas Breen, Kim D. Campbell, Rebecca Janowitz, Justice R. Peter Grometer, and Judge A. C. Cunningham, Jr. Present via teleconference: Judge Dennis Middendorff and Justice Michael Toomin. Absent: Thomas Sullivan and Gary Dobbs.

Present - **Agency Staff:** Michael J. Pelletier, State Appellate Defender; James E. Chadd, Deputy State Appellate Defender; Tonya Janecek, Chief Fiscal Officer and Human Resource Director; Laura Weiler, Training Director, and Sue Ryan, Senior Administrative Assistant. Present via teleconference: David P. Bergschneider, Deputy State Appellate Defender.

The meeting was called to order by Chairman Thomas Breen who welcomed retired Appellate Court Justice R. Peter Grometer to the Board of Commissioners. Justice Grometer succeeds Judge Charles R. Hartman as the representative of the Second District Appellate Court.

A motion to approve the minutes of the February 21, 2014, Board meeting was made by Kim Campbell and Rebecca Janowitz seconded the motion. The minutes were approved unanimously.

**New Business**

**A. Report for Fiscal Year 2014**

State Appellate Defender Michael J. Pelletier began his report on Fiscal Year 2014 by acknowledging the graying of the Agency with ten retirees this year. Of those, top management retirements included Deputy State Appellate Defender Patricia Unsinn and Fourth District Deputy Defender Karen Munoz. Mr. Pelletier also mentioned that seven to ten Assistants are expected to retire each year in the coming years.

James E. Chadd, former First District Assistant Deputy Defender, who was appointed to succeed Ms. Unsinn, has been with the agency for 30 years. Former Fourth District Assistant Appellate Defender Jacqueline Bullard, who was appointed to succeed Ms. Munoz, has been with the agency for over 16 years.

There were personnel changes in the Expungement Unit as well. Staff Attorney Christie Fischer resigned and Ashley Richardson was named Director. The Expungement Unit was reorganized, and Mr. Pelletier commented that it has worked out very well. Discussion ensued regarding expungement and Mr. Pelletier explained that the Expungement Unit is a resource for people seeking an expungement or sealing of their record. Information about the process and user-friendly forms are available on the OSAD web site, by calling the toll-free hotline, or by emailing the Expungement Unit. While the agency does not provide counsel, a list of attorneys who handle cases at little or no cost is also available. It was stated that expungement is a huge issue and OSAD serves a very important role in the process.

The caseload was addressed by Mr. Pelletier and he reported that the Agency was appointed to 3,244 cases in Fiscal Year 2014 - one less appointment than in Fiscal Year 2013. The Agency disposed of 2700 cases which was 230 cases less than last year due to a number of maternity and paternity leaves and a period of about six months where there were six attorney vacancies.

Laura Weiler, Director of Training, spoke to the Board about the Public Defender Resource Center which is accessible only by password to public defenders and appointed counsel who have registered. The Center contains a file share area to post and share sample motions or briefs, an experts database, training materials, a training calendar, and a public defender discussion group and has recently been expanded to offer searchable capability.

Mr. Pelletier opined that the Public Defender Resource Center is consistent with the mission to provide resources to public defenders. Additionally, he reported on the four seminars conducted in Fiscal Year 2014 in conjunction with the Illinois Public Defender Association:

- The week-long Trial Ad conference in March where OSAD paid the registration fee for all 34 attendees and the travel, per diem, and lodging for 19 downstate public defenders whose counties would otherwise be unable to send them;
- The Illinois Public Defender Association Spring and Fall Seminars; and
- The one-day "Persuading Judges" seminar in June which was geared to provide advocacy skills in Motions to Suppress and Bench Trials for 35 Cook and urban county public defenders.

#### **B. Operating Budget for Fiscal Year 2015**

Mr. Pelletier reported that the operating budget for Fiscal Year 2015 is \$20,349,600 and is the same as the FY2014 operating budget.

This budget request will provide for the following:

- Increase the current pay plan for all titles;
- Continuation of the Public Defender Training Program - \$63,000;
- Implementation of a new case management system - \$441,518.00.

This budget does not allow for the implementation of the Juvenile Defender Resource Center or the Law Student Intern Program.

To fund the new case management system, which is vital for the stability and efficiency of the agency, there will be at least ten attorney vacancies for the full year.

A motion to approve the Operating Budget for Fiscal Year 2015 was made by Justice R. Peter Grometer and seconded by Rebecca Janowitz. The motion was unanimously approved.

### **Other Business**

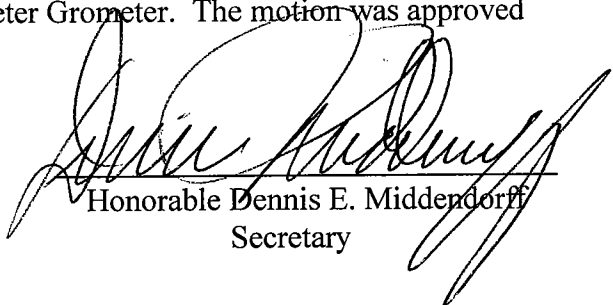
A question about oral argument in the courts was raised and discussion ensued. Mr. Pelletier expressed his opinion that oral argument is an integral component of appellate advocacy.

As the term of Vice Chairman Judge Hartman had expired, the Board elected Justice R. Peter Grometer to fill the Vice Chairman vacancy on a nomination and motion by Judge A. C. Cunningham which was seconded by Rebecca Janowitz. The motion to approve the nomination of Justice Grometer as Vice Chairman was unanimously approved.

The date for the next meeting of the Board of Commissioners was set for Friday, February 20, 2015, to be held in the First District office in Chicago at 9:30 a.m.

### **Adjournment**

There being no further business, a motion to adjourn the meeting was made by Rebecca Janowitz and seconded by Justice R. Peter Grometer. The motion was approved unanimously.



Honorable Dennis E. Middendorff  
Secretary